IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 60 of 1999

CRA.107/1997 of SESSIONS COURT, KOLLAM
SC.275/1995 of ASSISTANT SESSIONS COURT, KOTTARAKKARA
.....

REVN. PETITIONER:

RAMACHANDRAN PILLAI, S/O. GOPALA PILLAI,
RAMYA BHAVANAM, VAYALA MURI, KADAKKAL.

BY ADV. SRI.P.B.SURESH KUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTORMR. C.M. KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO. 248 OF 1999 IN CRL.R.P.NO. 60/1999

DISMISSED.

13-3-2007 **SD/-K.R.UDAYABHANU, JUDGE**

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.60 OF 1999-C

DATED THIS THE 13TH DAY OF MARCH 2007

ORDER

The revision petitioner stands convicted for the offence under Section 324 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of six months. The prosecution case is that on 27-3-1994 at about 2.30 p.m. the accused stabbed PW2 below the left scapula, without any provocation. The evidence adduced in the matter consisted of the testimony of Pws.1 to 15 and Exts.P1 to P11 and Mos.1 to 3 . The conviction and sentence was upheld by the Sessions Judge. Counsel for the revision petitioner has only sought for leniency so far as the sentence is concerned. It is submitted that the incident has taken place more than a decade back and the accused is facing in the criminal proceedings since then.

It is submitted that the petitioner has also undergone pre-trial detention. In the circumstances, the sentence is modified to imprisonment already undergone and to pay a compensation of Rs.25,000/- to PW2, the injured victim, under Section 357(3)

Cr.P.C. and in default to undergo simple imprisonment for six months. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks.

K.R.UDAYABHANU, J

CRL.R.P.NO.60 OF 1999-C

ORDER

13-3-2007